

IN THE HIGH COURT OF JUDICATURE AT BILASPUR, C.G.

WRIT PETITION NO. 718 /2006

(Petition under Article 226/227 of the Constitution of India)

Single Bench

PETITIONER :

Janardan Singh, aged about 56 years
— S/o late Shri Baidyanath Singh at
present working as Deputy Ranger, in
the office of Divisional Forest officer,
(JOURNAL) Bijapur, Distt. Dantewada,
C.G.

P.R. No. 205706

Presented by Shri. Janardan Singh

dated 22/2/06

VERSUS

RESPONDENTS :

- 1) State of Chhattisgarh, through the
Secretary, Forest Department, D.K.S.
Bhawan, Raipur (C.G.)
- 2) The Chief Conservator of Forest,
(Administration) State of Chhattisgarh,
Raipur, Distt. Raipur (C.G.)
- 3) Conservator of Forest, Forest
Department, Jagadalpur Circle, at
Jagadalpur, Distt. Bastar, C.G.
- 4) Divisional Forest Officer (JOURNAL),
Forest Division Bijapur, Distt.
Dantewada, C.G.
- 5) Managing Director, Jila Vanopaj
Sahkari Union Jagadalpur, C.G.

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BILASPUR



WRIT PETITION UNDER ARTICLE 226/227 OF THE
CONSTITUTION OF INDIA FOR ISSUANCE OF APPROPRIATE
WRIT OF MANDAMUS/ CERTIORARI, ORDER/ORDERS,
DIRECTION/DIRECTIONS ETC.

the petitioners :

आदेश पत्रक

मामला क्रमांक WP 718/06 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	<u>27/2/2006</u> Shri Vishnu Koshta, counsel for the petitioner. Shri P.S. Koshy, Dy. A.G., and Shri A.S. Kachhawaha, Dy. Govt. Advocate, for the State. Application for urgent hearing is allowed. Heard. The present petition has been filed by the petitioner praying for quashing the suspension order dated 15/9/2005 (Annex.P/3) and demotion order dated 27/10/2005 (Annex.P/5) issued by respondent no.3. Brief facts of the case are that the petitioner was working as Deputy Ranger and was posted under the office of Managing Director, Zila Vanopaj Sahkari Union, Jagdalpur for collection of sal beej in the year 2005. A show cause notice was issued to the petitioner on 7/9/2005 for committing the illegalities regarding misuse of fund. The petitioner submitted the reply on 13/9/2005. Thereafter, the petitioner was suspended vide order dated 15/9/2005 and he was attached in the office of Divisional Forest Officer, Bijapur. During the suspension order, vide order dated 27/10/2005 (Annex.P/5) the petitioner has been demoted. Learned counsel for the petitioner submits that before issuing the demotion order dated 27/10/2005, the disciplinary authority did not issue a charge sheet. Counsel further submits that the petitioner submitted the application to the Conservator of Forest on 5/11/2005 vide Annex.P/6 to the effect that since 46 days have completed and no charge sheet has yet been issued, therefore, his suspension order has been automatically revoked. Counsel also submits that after receiving the said application, the office of	

[पीछे देखिये]

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H/-	respondent no.4 issued a charge sheet dated 22/10/2005 which has been received by the petitioner on 10/11/2005. It is contended that the petitioner preferred an appeal (Annex.P/15) on 20/1/2006 against the orders dated 15/9/2005 and 27/10/2005, which has not yet been decided so far. Having considered the facts and circumstances, without entering into the merits of the case, in the opinion of this Court, ends of justice will be served if a direction is given to the respondents to decide the appeal (Annex.P/15) preferred by the petitioner within a period of six weeks from the date of production of the copy of this order before them. If the grievance still remains, the petitioner may avail the remedy available at law. With the aforesaid observations, this petition stands disposed of. Certified copy as per rules. Copy to the State counsel for compliance.	Sd/- Fakhruddin Judge

[पीछे देखिये]